

TOWN OF STOW  
PLANNING BOARD

Minutes of the February 2, 2021 Planning Board Meeting

Planning Board Members Present: Lori Clark, Margaret Costello, Karen Kelleher, Len Golder, John Colonna-Romano, Mark Jones

Lori Clark called the meeting to order at 7:00pm.

**Correspondence**

Karen Kelleher responded to the Stow Acres email from Maura Rousseau, saying the Town always welcomes associate members. Jesse Steadman commented on Maura Rousseau's involvement with the Kane Land Project. Jesse Steadman let the board know he responded by explaining the Town's Boards and the specifically the planning departments roll, engagement, and processes. Jesse Steadman said this is in response to communications on The Future of Stow Acres and the Virtual Public Forum flyers and newspaper articles. John Colonna-Romano said you can't make a decision with hundreds of people it takes due process. Laying out activities, putting in timelines, steps, and processes, as each decision is updated. Lori Clark said she was curious if anyone read this as different response to something. Margaret Costello raised concerns on previous traffic projects and committee involvement. Karen Kelleher commented there is plenty of opportunity before town meeting on current events. Len Golder discussed citizen input saying there are other opportunities for outreach to residents.

Mark Jones responded to the advertisement of 124 Great Road and signage on the property. Karen Kelleher mentioned the proposed signage bylaw. John Colonna-Romano commented on the size of the property and usage. Jesse Steadman said he would keep the board posted on questions in regards to the property.

Jesse Steadman explained to the board the email communications with the Chiarchiaro's and the fee in lieu of sidewalk and the status of the site work completed. Jesse Steadman said that issue with the excess water was due to the final section of the drainage was not completed prior to the weather event. Jesse Steadman said he will continue to monitor progress with the Consulting Engineer as required the by plan. Jesse Steadman said that sidewalk fees are normally paid as part of the occupancy permit being released.

**Public Input**

Dorothy Granat commented on House of Pizza Special Permit Public Hearing. Lori Clark said that the board could not discuss information outside the hearing. Lori Clark suggested for Dorothy Granat to email information and bring to next week's hearing for comment.

**Planning Board Member Updates**

Mark Jones commented on the Zoning Board of Appeals current hearings and controllability the current bylaws cover as well as the affects to surrounding abutters with current conditions.

**Joanne Drive Performance Guarantee**

*Present:*

Chuck Black, Kendall Homes

## Draft

Lori Clark opened the Discussion of the Joanne Drive Performance Guarantee introducing Chuck Black of Kendall Homes. Chuck Black explained the current building status of the subdivision, the proposed timeline based on approved building permits, and using Lot 7 as a method of payment for the performance guarantee.

Lori Clark commented on the Town's past experiences with similar proposals. Chuck Black responded asking if the Planning Board to consider a foundation only permit, and that he would work with the Engineering consultant on the bond amount based on the work to be completed. Chuck Black said there would be no risk for the town.

The board discussed the proposal. Mark Jones commented on a similar situation and the status the current lot with a foundation. John Colonna-Romano commented on the Town's point of view and no risk, saying he did not see a down side with the current housing market. Karen Kelleher said she was not in disagreement, but has seen issues with permit releases. Karen Kelleher asked Jesse Steadman if he signs off on building permits. Jesse Steadman answered yes to building permits, no to occupancy permits.

Lori Clark questioned if the reason for the proposals and funding is largely due to the length of the road, and considers partial bonds in phases to assist with payment. Chuck Black said we can phase things, but more so asking for leeway based on the businesses integrity. Mark Jones explained the legal aspects of the permitting process, which the permits are granted on specific decisions through the phases of construction and development. Chuck Black discussed funding; his opinion on the cash bonds process has on timelines which affects the method of his business. The board discussed accrued costs that the performance guarantee covers and the timelines involved. Karen Kelleher asked about the engineering consultants review. Jesse Steadman said he estimates it would take about two weeks to complete the review.

Lori Clark discussed the concerns adding it sounds like there are two issues, being time and money. Lori Clark asked Chuck Black for clarification. Chuck Black said neither had little latitude, as he is a friendly developer presently finishing a project in another town on time and financially sound. Len Golder commented on the fees and costs associated to any project and how the board understands the process in place. Lori Clark said she wanted to understand the actual request being presented to the board. John Colonna-Romano said if the bond is in place by March 1<sup>st</sup> there would be no need to have a foundation only permit.

Jesse Steadman said the bond process is not complicated and to be done right from the beginning the consulting engineer can look it over proposal. Chuck Black said they would work on the figures and asked to be placed on the agenda in February. Lori Clark said we can review later.

### **Regency at Stow Bond Release**

Lori Clark asked for an update on the Bond Release. Jesse Steadman said he spoke to Sue Carter, Places Associates on the release document verifying that all items were corrected and discussed signage by walkways. Jesse Steadman commented he has not heard back from Regency. Karen Kelleher commented on the installation of the sign. Jesse Steadman said he would review the documents and make changes to reflect the proper motion and bring back to the board for review. Lori Clark motioned to move on to Hiley Brook Road.

#### **44 Hiley Brook Road Deliberation- Vote**

Lori Clark asked the board for comment about the changes in the decision. Jesse Steadman said he had not heard back from Town Counsel. Karen Kelleher commented on the verbiage of Finding 9.5, and Finding 9.12. John Colonna-Romano questioned Finding 9.8 and the defining language. Lori Clark agreed commenting on the clarification on the condition. Mark Jones brought up the Special Permit and reference on required subject conditions. John Colonna-Romano commented on Finding 9.13 and the verbiage on construction vehicles. Jesse Steadman explained the details of the construction vehicles in the Plan Modification. Margaret Costello said she wanted to discuss the impact of the driveway and the buffer easements. Margaret Costello said the impact of the lights directly on the home affect the homeowner citing other examples of headlight disturbance in a household setting. Margaret Costello emphasized that it makes perfect sense as a shared driveway can be easily used by both homes allowing the one driveway on the road. Lori Clark asked if the board should table to next week and wait for Town Counsel to respond. Karen Kelleher said she would like to wait to hear from Town Counsel and agreed with Margaret Costello's comments. Lori Clark motioned to move on to the next item.

#### **T Mobile – First Parish Church Eligible Facilities Request and Site Plan Approval**

*Present:*

Timothy W. Greene, SIA Group, Authorized Representative of T-Mobile

Lori Clark announced the Public Hearing for the T Mobile – First Parish Church Eligible Facilities Request and Site Plan Approval taking attendance. Jesse Steadman gave an overview of the request, explaining the current cell tower equipment is 20 years old and requires upgrading. The work will consist of upgrading equipment, replacing and adding antennas as part of the nationwide upgrades being completed by T-Mobile. John Colonna-Romano asked if the antennas would require upgrade included a generator. Timothy Greene said no. John Colonna-Romano asked if the antennas are higher power or different frequency. Timothy Greene said the replacement antennas will carry a new frequency. Jesse Steadman provided the current Minor Modification #3 Decision documents explaining the request is a modification. Lori Clark called for a motion. Jesse Steadman suggested two motions, one for the Minor Modification #4, and one Board Member signature approval to sign decision.

*Karen Kelleher motioned to find the T Mobile – First Parish Church Eligible Facilities request and Site Plan Approval as a Minor Modification not requiring a public hearing.*

*Len Golder seconded.*

**Roll Call Vote: Lori Clark- Yea; Karen Kelleher- Yea; John Colonna-Romano-Yea, Margaret Costello- Yea; Len Golder- Yea**

*Karen Kelleher motioned to approve the T Mobile – First Parish Church Eligible Facilities request and Site Plan Approval as Minor Modification #4.*

*Len Golder seconded*

**Roll Call Vote: Lori Clark- Yea; Karen Kelleher- Yea; John Colonna-Romano-Yea, Margaret Costello- Yea; Len Golder- Yea**

#### **Phase I Environmental Assessment Peer Review Proposal | 0 Great Road**

Jesse Steadman explained the Town Administrators position as non-traditional acquisition how it would be good for the town. The Phase I Environmental Site Assessment proposal is a basic scope of services with a cost of \$2,400.00. Jesse Steadman verified the funds available in the current fiscal and following budgets. John Colonna-Romano asked questions about the O'Reilly, Talbot & Okum

## Draft

Engineering Firm. Karen Kelleher asked if the engineering firm completed any other work for the town. Jesse Steadman explained the request being presented to the firm is a simple independent peer review to confirm the property is environmentally stable. Jesse Steadman said that this is part of the due diligence required making sure that something was not overlooked based on the history of the property. Len Golder asked if there was a Phase II. Jesse Steadman said only if something is discovered through the review. Lori Clark asked if the board was interested in taking a vote on the proposal.

*Karen Kelleher motioned to accept Phase I Environmental Site Assessment prepared by O'Reilly, Talbot, & Okum for a fee of \$2,400.00.*

*Margaret Costello seconded.*

**Roll Call Vote: Lori Clark- Yea; Karen Kelleher- Yea; John Colonna-Romano-Yea, Margaret Costello- Yea; Len Golder- Yea**

## **Planner Report**

Merrill Site Visit Debrief

Respectfully Submitted,  
Susan Ostrander